

# HOUSE BILL No. 1602

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** None (noncode).

**Synopsis:** Smart growth study commission. Creates the smart growth study commission to study local planning and growth issues.

**Effective:** July 1, 2005.

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**Dvorak**

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January 18, 2005, read first time and referred to Committee on Local Government.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1602

A BILL FOR AN ACT concerning state offices and administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE JULY 1, 2005] (a) **As used in this**  
2 **SECTION, "commission" refers to the smart growth study**  
3 **commission established by subsection (c).**

4       (b) **The general assembly finds that poorly planned development**  
5 **may cause:**

- 6           (1) **higher taxes to pay for new infrastructure;**
- 7           (2) **increased traffic congestion;**
- 8           (3) **degraded air quality;**
- 9           (4) **a threat to aquifers and water quality;**
- 10          (5) **a loss of farmland and open space; and**
- 11          (6) **abandonment of historic downtowns.**

12       (c) **The general assembly finds that there is a need for Indiana**  
13 **to develop a smart growth strategy to:**

- 14           (1) **keep taxes low;**
- 15           (2) **encourage traditional community development;**
- 16           (3) **preserve farmland and wilderness areas;**
- 17           (4) **stop unsightly, expensive, and inconvenient sprawl; and**
- 18           (5) **develop attractive and enjoyable places to live and work.**



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The smart growth study commission is established.

(d) The commission shall study:

- (1) planning and development practices and procedures;
- (2) zoning practices and ordinances;
- (3) tax abatement issues; and
- (4) methods of funding infrastructure;

for units of state and local government.

(e) The commission shall make recommendations on the most efficient way to plan for growth and development in local communities, including ways to do the following:

- (1) Make development decisions that are predictable, fair, and cost effective.
- (2) Strengthen and direct development toward existing communities and infrastructure issues.
- (3) Preserve farmland, open space, and critical environmental areas.
- (4) Create a range of housing opportunities and choices.
- (5) Integrate transportation planning with land use planning.
- (6) Encourage mixed land uses.
- (7) Foster distinctive, appealing communities with a strong sense of place.

(f) The commission consists of the following members:

- (1) Three (3) members appointed by the president pro tempore of the senate, one (1) of whom must be a member of the senate and two (2) of whom must be individuals who have experience in local planning and funding areas.
- (2) Three (3) members appointed by the speaker of the house of representatives, one (1) of whom must be a member of the house of representatives and two (2) of whom must be individuals who have experience in local planning and funding areas.
- (3) Three (3) members appointed by the minority leader of the senate, one (1) of whom must be a member of the senate and two (2) of whom must be individuals who have experience in local planning and funding areas.
- (4) Three (3) members appointed by the minority leader of the house of representatives, one (1) of whom must be a member of the house of representatives and two (2) of whom must be individuals who have experience in local planning and funding areas.
- (5) One (1) nonvoting member appointed by the Indiana association of cities and towns.

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**(6) One (1) nonvoting member appointed by the association of Indiana counties.**

**(g) The Indiana economic development corporation shall staff the commission.**

**(h) The expenses of the commission shall be paid from appropriations made to the Indiana economic development corporation.**

**(i) Each member of the commission who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.**

**(j) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative service agency.**

**(k) The affirmative votes of a majority of the voting members appointed to the commission are required for the commission to take action on any measure, including final reports.**

**(l) The commission shall file a:**

**(1) preliminary report before December 31, 2005; and**

**(2) final report before December 1, 2006;**

**on the findings of the commission with the legislative council. The reports filed under this subsection must include information from the study required in subsection (d) and the recommendations required under subsection (e). Reports described in this section must be in an electronic format under IC 5-14-6.**

**(m) This SECTION expires January 1, 2007.**

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